

REMARKS

This Application has been carefully reviewed in light of the Final Office Action. Applicant appreciates the Examiner's consideration of the Application. In order to advance prosecution of this Application, Applicant has responded to each notation by the Examiner. Applicant respectfully requests reconsideration and favorable action in this case.

Section 103 Rejection

The Examiner rejects under 35 U.S.C. § 103(a): Claims 1-4, 6-14, and 16-18 as being unpatentable over U.S. Patent No. 6,357,008 to Nachenberg ("*Nachenberg I*") and U.S. Patent No. 6,453,345 to Trcka ("*Trcka*"); and Claims 5 and 15 as being unpatentable over *Nachenberg I*, *Trcka*, and U.S. Patent No. 6,971,019 to Nachenberg ("*Nachenberg II*"). Applicant respectfully traverses this rejection for the reasons discussed below.

Applicant respectfully submits that the combinations of *Nachenberg I*, *Trcka*, and *Nachenberg II* proposed by the Examiner fail to disclose, teach, or suggest the elements of Claims 1-18. For example, the combinations proposed by the Examiner fails to disclose, teach, or suggest the following of Claim 2:

- updating the list of memory regions to include the modified memory by:
 - determining whether the modified memory area overlaps a listed memory region of the listed memory regions; and
 - if the modified memory area overlaps the listed memory region, updating a dimension of the listed memory region to encompass the modified memory area; and
 - if the modified memory area does not overlap the listed memory region, adding the modified memory area as a new memory region to the list of memory regions.

The Examiner points to *Nachenberg I* to provide such teaching. *Nachenberg I*, however, merely discloses recording a modification:

The ninth procedure 318 begins with a first step 402 in which the decryption module 152 determines whether or not the just-emulated instruction modifies the content stored at a (virtual) memory address within the (virtual) address space of the target program. Such a modification is indicative of decryption taking place.

If such a modification is performed by the just-emulated instruction, then the decryption module 152 performs a second step 404 of recording that modification for future reference (such a reference occurring in the second procedure 304 of the decryption phase 252) before performing a third step

406. Otherwise, if such a modification is not performed, then the decryption module 152 goes straight from the first step 402 to the third step 406.

(*Nachenberg I*, col. 9, lines 5-19.)

Nachenberg I, however, fails to disclose, teach, or suggest “determining whether the modified memory area overlaps a listed memory region,” much less, “if the modified memory area overlaps the listed memory region, updating a dimension of the listed memory region to encompass the modified memory area” or “if the modified memory area does not overlap the listed memory region, adding the modified memory area as a new memory region to the list of memory regions.”

Thus, Claim 2 and its dependent claims are allowable over the proposed combinations. For at least analogous reasons, Claims 1, 7-12, and 17-18 and their dependent claims are allowable over the proposed combinations. Accordingly, Applicant respectfully requests reconsideration and allowance of all the pending claims.

CONCLUSION

Applicant has made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicant respectfully requests full allowance of all the pending claims.

If the Examiner believes a telephone conference would advance prosecution of this case in any way, the Examiner is invited to contact Keiko Ichiye, the Attorney for Applicant, at the Examiner's convenience at (214) 953-6494.

Although Applicant believes no fees are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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